

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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**MARK K. MACRIS,**

**Plaintiff,**

**v.**

**Civil Action No. 17-CV-361**

**EXPERIAN INFORMATION SOLUTIONS, INC  
And SPECIALIZED LOAN SERVICING LLC,**

**Defendants.**

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**AFFIRMATION OF SETH J. ANDREWS**

Seth J. Andrews, an attorney at law, hereby affirms under penalties of perjury that the following statements are true to the best of his knowledge, information and belief:

1. That I am an attorney at law licensed to practice in the State of New York, am admitted to practice before this Court, and am the attorney of record for the Plaintiff in this action.
2. That Plaintiff commenced this action under the Fair Credit Reporting Act, 15 U.S.C. § 1681 et seq. ("Fair Credit Reporting Act" or "FCRA") and 15 U.S.C. § 1692 et seq., the Fair Debt Collection Practices Act (FDCPA) for Defendant Specialized Loan Servicing LLC's ("SLS") activities in connection with their collection of a debt.
3. That the parties have filed competing motions for summary judgment. This affirmation is filed in opposition to SLS's Motion for summary judgment.
4. That on September 7, 2017, Defendant SLS served their disclosures as required by Fed.R.Civ.P. Rule 26(a)(1). Included in the disclosure were documents bates stamped SLS 1-50. See Exhibit A to Affirmation of Seth J. Andrews in support of Plaintiff's motion to strike
5. On August 7, 2018, SLS was served with a Notice of Deposition for 30(b)(6) witness. See Exhibit B to Affirmation of Seth J. Andrews in support of Plaintiff's motion to strike.
6. That the notice included a demand for SLS to produce any and all correspondence of any kind that relates to the information being reported on Plaintiff's Experian credit report. Id at Pg. 4, Para 1.

7. That in response, SLS produced documents ranging from bates stamped numbers SLS 51-370. A copy of the cover letter from SLS's counsel, dated August 8, 2018 is attached as **Exhibit A**.
8. On August 14, 2018, at the deposition of Loretta Poch, SLS produced documents bates numbered SLS 371-857. A copy of the relevant excerpt from the transcript of Ms. Poch's deposition is attached as **Exhibit B**.
9. That SLS documents bates stamped 1-857 do not contain any document of which its contents act as a written notice to the Plaintiff that he had validation right pursuant to 15 U.S.C. § 1682g.

Dated: December 5, 2018

s/Seth J. Andrews  
Seth J. Andrews